

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

**UNITED STATES OF AMERICA**

v.

**CHANGE OF PLEA HEARING MINUTES**

**XENGXAI YANG**

Case No. 19-CR-67

HONORABLE WILLIAM C. GRIESBACH presiding  
Proceeding Held: January 17, 2020  
Deputy Clerk: Lori

Time Called: 3:51 pm  
Time Concluded: 4:17 pm  
Tape: 011720

**Appearances:**

UNITED STATES OF AMERICA by:	Andrew J. Maier
XENGXAI YANG, in person and by:	Kevin D. Musolf
US PROBATION OFFICE by:	Brian Koehler
INTERPRETER: None	<input type="checkbox"/> Interpreter Sworn

<input checked="" type="checkbox"/> Defense counsel advises that defendant wishes to enter a plea of guilty	<input checked="" type="checkbox"/> Court advises defendant as to:
<input checked="" type="checkbox"/> Plea agreement filed	<input checked="" type="checkbox"/> Elements of the offense
<input checked="" type="checkbox"/> Defendant has reviewed plea agreement with counsel and is satisfied w/representation	<input checked="" type="checkbox"/> Maximum penalties
<input checked="" type="checkbox"/> Defendant sworn	<input checked="" type="checkbox"/> Mandatory minimum sentence
<input checked="" type="checkbox"/> Defendant advised that false statements made under oath may result in prosecution for perjury	<input type="checkbox"/> Forfeiture provision
<input checked="" type="checkbox"/> Court questions defendant as to background, education, medical history, drug usage	<input checked="" type="checkbox"/> Sentencing guidelines
	<input checked="" type="checkbox"/> Right to a jury trial
	<input type="checkbox"/> Waiver of appeal rights
	<input checked="" type="checkbox"/> Government provides factual basis as set forth in plea agreement

<input checked="" type="checkbox"/> GUILTY plea entered to Count(s) 1 and 2 of the <input checked="" type="checkbox"/> indictment, <input type="checkbox"/> superseding indictment, <input type="checkbox"/> information	<input checked="" type="checkbox"/> Court finds Defendant's plea to be knowing and voluntary and that a factual basis exists for the plea
<input checked="" type="checkbox"/> CHARGE: Ct 1: 18:2113(a) and (d) Armed Bank Robbery and Ct 2: 18:924(c)(1)(A)(ii) and (B) (i) Using a firearm in furtherance of a crime violence involving a short-barreled firearm	<input checked="" type="checkbox"/> Defendant adjudged guilty
<input checked="" type="checkbox"/> PSR ordered	<input checked="" type="checkbox"/> FPT and JT dates removed from court calendar
<input checked="" type="checkbox"/> Sentencing set for: April 13, 2020 at 1:30 pm	

☒ Detention continued; or ☐ Bond continued: ☐ as previously set, or ☐ as modified

The Court and parties address the psych evaluation.  
Mr. Musolf addresses the report and that issues do not rise to level of a legal insanity defense.